

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SHARON C. JONES,

Plaintiff,

v.

No. 23cv222 MIS/KK

SAN JUAN REGIONAL MEDICAL CENTER,

Defendant.

**ORDER GRANTING LEAVE TO FILE SECOND AMENDED COMPLAINT AND
ACCEPTING MARCH 29, 2023 COMPLAINT AS THE OPERATIVE PLEADING**

THIS MATTER is before the Court sua sponte on review of the docket. Plaintiff filed her initial complaint on March 15, 2023. (Doc. 1.) On March 20, 2023, the Court granted her motion for in forma pauperis status and ordered the Clerk's Office to send notice and a waiver form to Defendant San Juan Regional Medical Center. (Doc. 5.) On March 24, 2023, Plaintiff filed an amended complaint (Doc. 9), then, on March 29, 2023, Plaintiff filed another amended complaint, which was docketed as a motion to amend the complaint. (Doc. 11.) On April 12, 2023, Defendant filed a "Notice Regarding Non-opposition by Defendant [San Juan Regional Medical Center] to an Order Granting Plaintiff Sharon C. Jones Leave to File [the March 24, 2023] Amended Complaint." (Doc. 15.) In the Notice, Defendant stated that it would file a waiver of the service of the summons for the March 24, 2023, complaint when properly filed. (*Id.*)

The Court finds good cause to grant Plaintiff's motion to amend the complaint and to accept the March 29, 2023, amended complaint as the operative complaint.

IT IS THEREFORE ORDERED that Plaintiff is granted leave to amend her complaint and that the amended complaint filed on March 29, 2023 (Doc. 11), is accepted as the operative

complaint, and shall be titled “Second Amended Complaint.” The Clerk’s Office is DIRECTED to modify the docket text to reflect that the complaint filed on March 29, 2023 (Doc. 11), is Plaintiff’s “Second Amended Complaint.” Defendant shall file a waiver of the service of the summons for the Second Amended Complaint.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kirtan Khalsa", written over a horizontal line.

KIRTAN KHALSA
United States Magistrate Judge